

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00340

**Eric Dewayne Hodge,**  
*Petitioner,*

v.

**Director, TDCJ-CID,**  
*Respondent.*

**ORDER**

Petitioner Eric Dewayne Hodge, an inmate of the Texas Department of Criminal Justice proceeding pro se, filed this habeas corpus petition pursuant to 28 U.S.C. § 2254. The case was referred to United States Magistrate Judge John D. Love.

On January 12, 2023, the magistrate judge issued a report recommending that petitioner's motion for summary judgment be denied. Doc. 29. A copy of that report was sent to plaintiff at his last-known address. Petitioner filed timely objections. Doc. 32.

The court reviews the objected-to portions of a report and recommendation de novo. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996).

Petitioner's objections are without merit. In his objections, petitioner fails to address the substance of the magistrate judge's report and identify the factual and legal issues that are truly in dispute. *See Nettles v. Wainwright*, 677 F.2d 404, 410 (5th Cir. Unit B 1982) (en banc) ("It is reasonable to place upon the parties the duty to pinpoint those portions of the magistrate's report that the district court must specifically consider."). The magistrate judge explained that the court reviewed the record and concluded that petitioner has not shown that that he is entitled to a judgment at this time.

Having reviewed the magistrate judge's report de novo, the court accepts the findings and recommendations. Petitioner's objections are overruled. Petitioner's motion for summary judgment is denied.

*So ordered by the court on February 28, 2023.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge